



Mack H. Shumate, Jr.
Senior General Attorney, Law Department

220795

November 26, 3007

VIA U.P.S. OVERNIGHT DELIVERY

Mr. Vernon Williams, Secretary
Surface Transportation Board
Section of Environmental Analysis
1925 "K" St., N.W., Room 504
Washington, DC 20423-0001

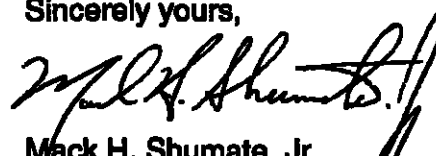
**Re: Proposed Abandonment of the Huntsville Industrial Lead from M. P. 5.0 to
M. P. 6.67 near Huntsville, Walker County, Texas; STB Docket No.
AB-33 (Sub-No. 246X)**

Dear Mr. Williams:

Pursuant to the Board's exemption procedures for abandonment of rail lines with no local business for at least two-years, (49.C.F.R. 1152.50), enclosed are an original and ten (10) copies of a verified Notice of Exemption, including a Certificate of Service and Publication.

Please file the Notice of Exemption in Docket No. AB-33 (Sub-No. 246X). Enclosed is a credit authorization voucher in the amount of \$3,200.00 for the filing fee. Three (3) computer disks, in Word format, are included for the Board's use.

Sincerely yours,



Mack H. Shumate, Jr.

Enclosures

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Before the
SURFACE TRANSPORTATION BOARD

Docket No. AB-33 (Sub-No. 246X)

**UNION PACIFIC RAILROAD COMPANY
– ABANDONMENT EXEMPTION –
IN WALKER COUNTY TEXAS
(HUNTSVILLE INDUSTRIAL LEAD)**

NOTICE OF EXEMPTION

UNION PACIFIC RAILROAD COMPANY

**Mack H. Shumate, Jr., Senior General Attorney
101 North Wacker Drive, Room 1920
Chicago, Illinois 60606
(312) 777-2055
(312) 777-2065 FAX**

**Dated: November 26, 2007
Filed: November 26, 2007**

Before the
SURFACE TRANSPORTATION BOARD

Docket No. AB-33 (Sub-No. 246X)

UNION PACIFIC RAILROAD COMPANY
– ABANDONMENT EXEMPTION –
IN WALKER COUNTY, TEXAS
(HUNTSVILLE INDUSTRIAL LEAD)

NOTICE OF EXEMPTION

Union Pacific Railroad Company ("UP") submits this verified Notice of Exemption pursuant to 49 § C.F.R. 1152, Subpart F -- Exempt Abandonments and Discontinuances of Service and Trackage Rights, for an exempt abandonment of the Huntsville Industrial Lead from Milepost 5.05 to Milepost 6.67 near Huntsville, a distance of 1.67 miles in Walker County, Texas (the "Line").

Proposed Consummation Date: 49 C.F.R. § 1152.50 (d)(2)

The abandonment is proposed to be consummated on or after January 16, 2007 (at least 50 days after filing the Notice of Exemption).

Certification: 49 C.F.R. 1152.50(b)

UP certifies that no local traffic has moved over the Line for at least two years; and that no formal complaint filed by a user of rail service on the Line (or filed by a state or local governmental entity acting on behalf of such user) regarding cessation of service over the Line either is pending with this Board or any U.S. District Court or has been decided in favor of the complainant within the two-year period. UP further certifies that there is no overhead traffic on the Line.

Additional Information Required: 49 C.F.R. 1152.22(a)(1) (4), (7)-(8) and (e)(4)

(a) General.

(a)(1) The railroads' exact name is Union Pacific Railroad Company.

(a)(2) UP is a common carrier by railroad subject to 49 U.S.C. Subtitle IV, Chapter 105.

(a)(3) UP intends to abandon the Line from Milepost 5.0 to Milepost 6.67 near Huntsville, a distance of 1.67 miles. The Line is located in Walker County, Texas.

(a)(4) A map showing the location of the Line in conjunction with other rail lines, highways and major roads in the area is attached hereto as **Exhibit A and hereby made a part hereof.**

(a)(7) The representative to whom correspondence regarding this abandonment should be sent is:

**Mack H. Shumate, Jr., Senior General Attorney
Union Pacific Railroad Company
101 North Wacker Drive, Room 1920
Chicago, Illinois 60606
(312) 777-2055
(312) 777-2065 FAX**

(a)(8) ZIP Code. The Line traverses U. S. Postal Service Zip Codes 77340.

(e)(4) Rural and Community Impact. The Line was originally constructed by the Huntsville Branch Railway in 1872. Most of the segment currently consists of 90-pound rail laid in 1951; the final third of a mile contains 75-pound rail laid in 1931.

After abandonment, the closest rail location would be UP at Townley, which lies just east on the portion of the Huntsville Industrial Lead not affected by the proposed abandonment. The right-of-way considered for abandonment totals 31.38

acres. 29.88 acres are non-reversionary and 1.5 acres are reversionary property. The right-of-way proposed for abandonment is 150 feet wide is slightly hilly ground entirely within the town of Huntsville, Texas.

Southern States Capital Corporation has expressed a desire to acquire the property for a public pedestrian and bicycling park. Otherwise, UP does not believe the property is suitable for other public purposes, including roads or highways, other forms of mass transportation, conservation, energy production or transmission, in that the area is adequately served by existing roads and utility lines. If the property were not used as a public trail, then the highest and best use of the right-of-way would be that of adjacent land usage.

Based on information in UP's possession, the Line proposed for abandonment does not contain federally granted right-of-way. There will be no effect on regional or local transportation systems and patterns and no diversion of traffic to other transportation systems or modes.

Any documentation so related to the Line, including real estate documentation relating to the Line in UP's possession, will be made available to those requesting it.

Labor Protection

The interests of railroad employees will be protected by the conditions discussed in Oregon Short Line Railroad Co. -- Abandonment -- Goshen, 360 ICC 91 (1979).

Certifications

Attached hereto as **Exhibit B** and hereby made a part hereof is a **Certificate of Service and Publication** pursuant to the notice requirements of 49 C.F.R. §§ 1152.50(d)(1), 1105.11 and 1105.12.

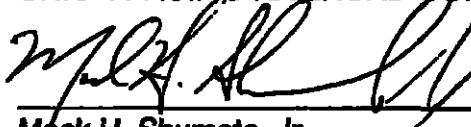
Environmental and Historic Report

A copy of the Transmittal Letter of UP's Combined Environmental and Historic Report containing the information required by 49 C.F.R. §§ 1105.7 (e) and 1105.8, and delivered in accordance with 49 C.F.R. 1105.11, is attached hereto as **Exhibit C** and hereby made a part hereof. The original and ten (10) copies were sent to Ms. Victoria Rutson, Section of Environmental Analysis (SEA), on September 28, 2007. The State Historic Preservation Officer was supplied with photos of the bridge structure that were fifty (50) years old or older at that time. In response, the State Historic Preservation Officer by stamped letter dated December 19, 2006, determined that no historic properties were affected by the proposed abandonment and that the project could proceed. A copy of this letter was included with the UP Combined Environmental and Historic Report filed on October 12, 2007.

Dated this 26th day of November, 2007.

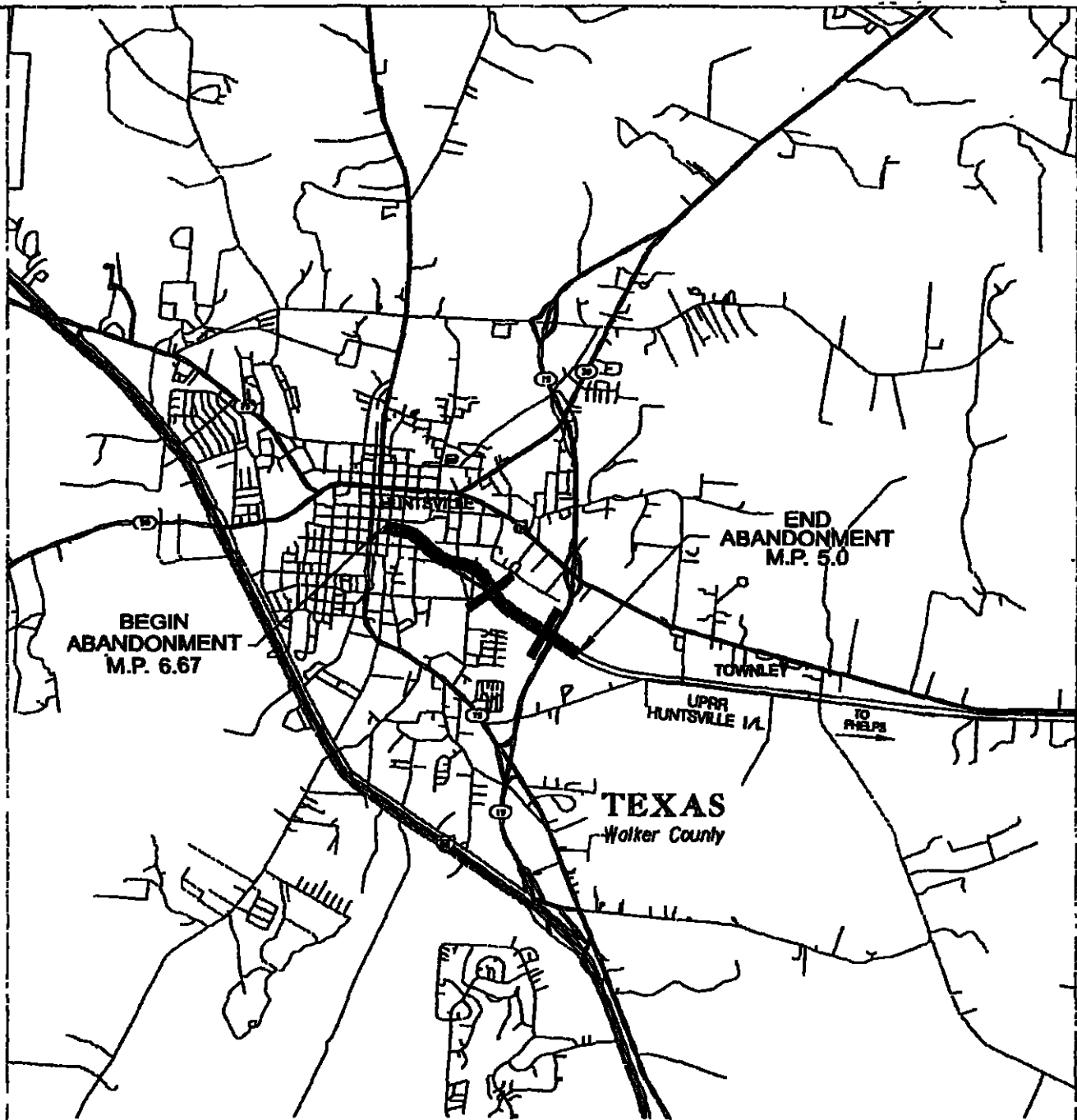
Respectfully submitted,

UNION PACIFIC RAILROAD COMPANY



Mack H. Shumate, Jr.
Senior General Attorney
101 North Wacker Drive, Room 1920
Chicago, Illinois 60606
(312) 777-2055
(312) 777-2065 FAX

EXHIBIT A



BRIDGE NO.	BRIDGE TYPE	TOTAL LENGTH	DATE
5.20	4 SPAN FINE TRUSS FLE THURLE OPEN DECK (PTTOS)	67'	1987
6.60	8 SPAN FINE TRUSS FLE THURLE OPEN DECK (PTTOS)	97'	1987

LEGEND

- UPRR LINES TO BE ABANDONED
- OTHER UPRR LINES
- OTHER RAILROADS
- RAILROADS (abandoned)
- PRINCIPAL HIGHWAYS
- OTHER ROADS
- 50+ YEAR OLD STRUCTURES

HUNTSMVILLE INDUSTRIAL LEAD

MP 5.0 TO MP 6.67
TOTAL OF 1.67 MILES
IN WALKER COUNTY

UNION PACIFIC RAILROAD CO.
HUNTSMVILLE INDUSTRIAL LEAD
TEXAS

INCLUDING 50+ YEAR OLD STRUCTURES

SCALE MILES

FILE: Q:\abandonments\ab33_246_huntsville_v8.dgn

DATE: 14-Sep-06 06:27

AB-33(Sub No. 246X)

AB-33 (Sub-No. 246X)

**DOCKET NO. AB-33 (SUB-NO. 246X)
HUNTSVILLE INDUSTRIAL LEAD IN WALKER COUNTY TEXAS**

CERTIFICATE OF SERVICE AND PUBLICATION

49 C.F.R. § 1152.50(d)(1) - Notice

The undersigned certifies that on October 18, 2007 (at least 10 days before a Notice of Exemption is filed), written notice was given of Union Pacific's intent to use the exemption notice procedure to abandon the Huntsville Industrial Lead in Walker County, Texas in Docket No. AB-33 (Sub-No. 246X). Written notice (a copy of which is attached hereto as Attachment 1) was served on the following:

James L. Randall
Director – Transportation Planning
And Programming
125 East 11th Street
Austin, TX 78701-2483

Railroad Commission of Texas
PO Box 12967
Austin, TX 78711-2967

Jill A. Jordan, P.E.
Assistant City Manager
City of Dallas
Office of the City Manager
Dallas, TX 75201

U. S. National Park Service
12795 Alameda Parkway
Denver, CO 80228

U. S. Department of Agriculture
Chief of the Forest Service
4th Floor, NW, Auditors Bldg.
14th Street & Independence Ave. SW
Washington, D.C. 20250

Military Traffic Management
Command
Transportation Engineering Agency
Attn: Railroads for National Defense
720 Thimble Shoals Blvd.
720 Thimble Shoals Blvd., Suite 130
Newport News, VA 23606-2574

49 C.F.R. § 1105.11 - Transmittal Letter For Applicant's Report

The undersigned certifies that on September 28, 2007 (at least 20 days before a Notice of Exemption is filed), a Combined Environmental and Historic Report

pursuant to 49 C.F.R. §§ 1105.7 and 1105.8 was served in Docket No. AB-33 (Sub-No. 246X) for abandonment of the Huntsville Industrial Lead in Walker County, Texas on the following:

- (1) State Clearinghouse (or alternate)
- (2) State Environmental Protection Agency
- (3) State Coastal Zone Management Agency
- (4) Head of each County
- (5) U.S. Environmental Protection Agency (regional office)
- (6) U.S. Fish and Wildlife Service
- (7) U.S. Army Corps of Engineers
- (8) National Park Service
- (9) U.S. Natural Resources Conservation Service
- (10) The National Geodetic Survey
- (11) State Historic Preservation Office
- (12) Other Agencies Consulted (as listed)

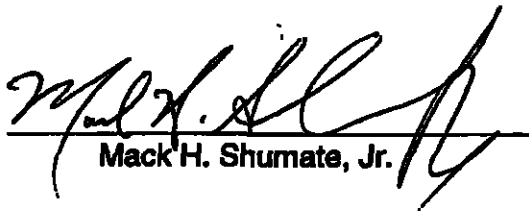
(The Certificate of Service attached to the Combined Environmental and Historic Report lists the names and addresses of the federal, state and local agencies served.)

49 C.F.R. § 1105.12 - Newspaper Notice

The undersigned further certifies that a "Notice of Intent to Abandon and/or to Discontinue Rail Service" was published in the form prescribed by the Board for a Notice of Exemption. The notice was published one time in a major newspaper in the county in which the Line is located as follows:

<u>County</u>	<u>Newspaper</u>	<u>Date</u>
Walker	The Huntsville Item	October 24, 2007

Dated this 26th day of November, 2007.


Mack H. Shumate, Jr.

PUBLISHER'S AFFIDAVIT OF PUBLICATION

THE STATE OF TEXAS, County of Walker

I, Rex Maynor, of the aforesaid County and State, do solemnly swear that I am publisher of The Huntville Item, a daily newspaper of general circulation which has been continuously and regularly published at Huntsville, Walker County, Texas, and is a legal newspaper and the attached notice was published in said newspaper.

Bozell 1 consecutive/subsequent dates previous to the return day thereof to wit:

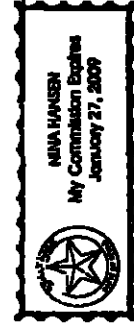
On 24-Oct 2007 On 2007

On 2007 On 2007

On 2007 On 2007

Rex Maynor Publisher

Subscribed and sworn to this 25th day of Oct 2007



Nina Hansen
Notary Public, Walker County, Texas

5-D. UNIFORM Monocentric (south) bin 25040-25045	6-D. UNIFORM Monocentric (north) bin 25045-25050
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PERTHILL STATE COMMERCIAL SERVICES
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UNION PACIFIC RAILROAD COMPANY



Mack H. Shumate, Jr.
Senior General Attorney, Law Department

October 18, 2007

VIA E-FILING

James L. Randall
Director – Transportation Planning
And Programming
125 East 11th Street
Austin, TX 78701-2483

Railroad Commission of Texas
PO Box 12967
Austin, TX 78711-2967

U. S. National Park Service
12795 Alameda Parkway
Denver, CO 80228

U. S. Department of Agriculture
Chief of the Forest Service
4th Floor, NW, Auditors Bldg.
14th Street & Independence Ave., S.W.
Washington, DC 20250

Military Traffic Management Command
Transportation Engineering Agency
Attn: Railroads for National Defense
720 Thimble Shoals Blvd., Suite 130
Newport News, VA 23606-2574

Re: Proposed Abandonment of the Huntsville Industrial Lead from M. P. 5.0 to M. P. 6.67 near Huntsville, Walker County, Texas; STB Docket No. AB-33 (Sub-No. 246X)

Dear Madam or Sir:

This is notice that Union Pacific Railroad Company ("UP") expects to be filing with the Surface Transportation Board ("STB" or "Board") a Notice of Exemption seeking authority for an exempt abandonment from Milepost 5.0 to Milepost 6.67 near Huntsville, a distance of 1.67 miles in Walker County, Texas (the "Line"). The Line traverses U.S. Postal Service Zip Code 77340. The proceeding will be docketed as No. AB-33(Sub-No. 246X).

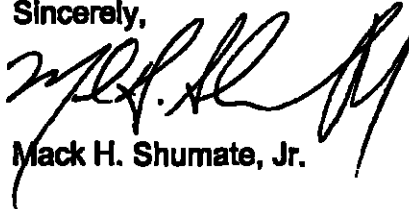
The "no business" exemption procedure will be used to abandon the Line, pursuant to the abandonment regulations of the STB at 49 C.F.R. Section 1152.50. No local traffic has moved over the Line in at least two years and there is no overhead traffic on the Line. A Notice of Exemption will be filed with the STB on or after October 29, 2007.

October 18, 2007

Based on information in our possession, the Line does not contain federally granted rights-of-way. Any documentation in the UP's possession will be made available promptly to those requesting it.

A map showing the Line to be abandoned is attached, for your information.

Sincerely,

A handwritten signature in black ink, appearing to read "Mack H. Shumate, Jr.", written over the printed name.

Mack H. Shumate, Jr.

Attachment

O:\Abandonments\Ab33-(Sub-No.246X)\NOI-Letter

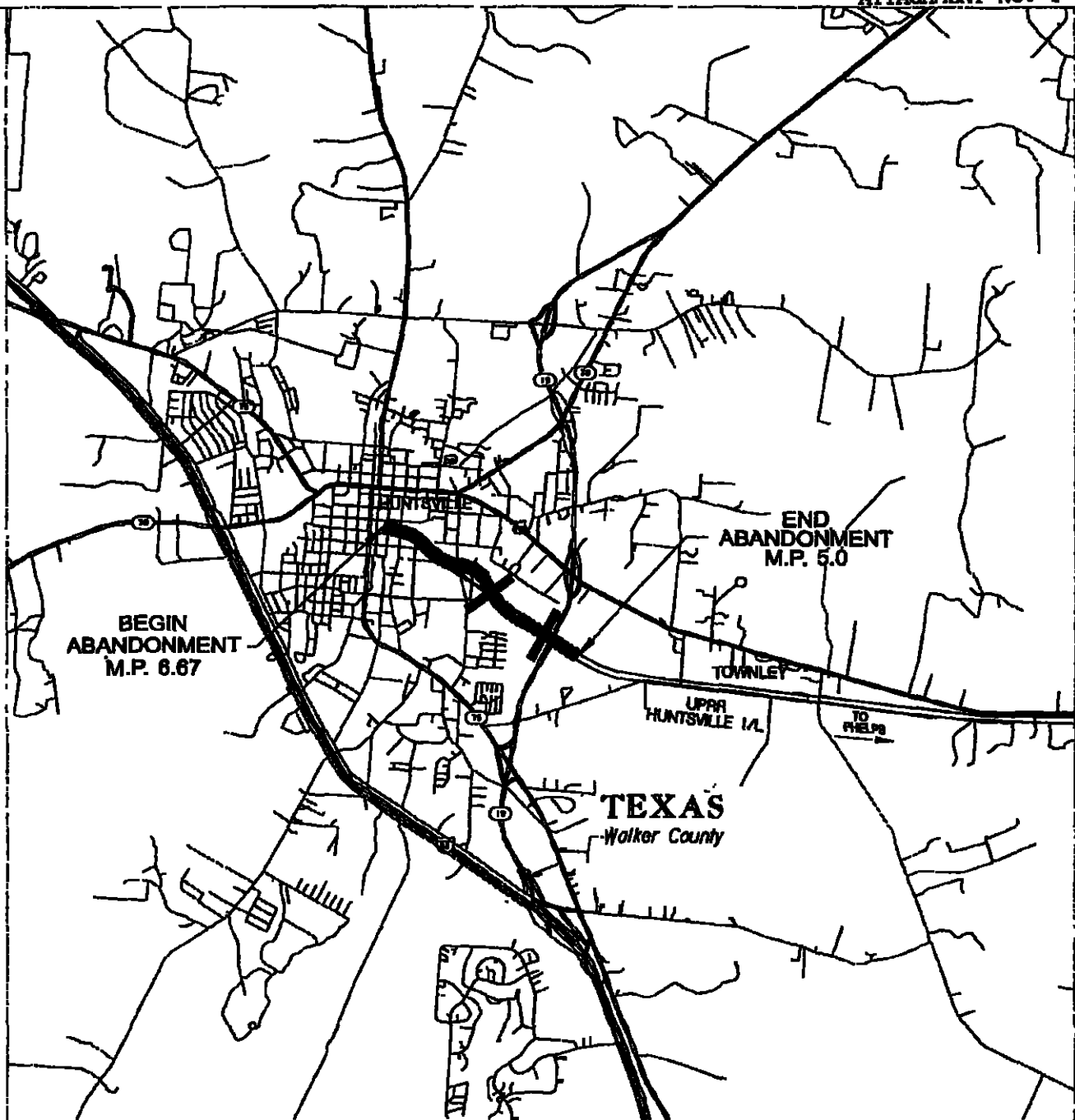
NOTICE OF INTENT TO DISCONTINUE AND ABANDON

UNION PACIFIC RAILROAD COMPANY ("UP") gives notice that on or after October 29, 2007 it intends to file with the Surface Transportation Board, Washington, D.C. 20423, a Notice of Exemption under 49 C.F.R. Part 1152, Subpart F-*Exempt Abandonments and Discontinuances*, for an exempt abandonment and discontinuance of service over the Huntsville Industrial Lead from Milepost 5.0 to Milepost 6.67 near Huntsville, a distance of 1.67 miles in Walker County, Texas (the "Line"). The Line traverses U. S. Postal Service Zip Code 77340. The proceeding has been docketed as No. AB-33 (Sub-No. 246X).

The Board's Section of Environmental Analysis ("SEA") will generally prepare an Environmental Assessment ("EA"), which will normally be available 25 days after the filing of the Notice of Exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to the Section of Environmental Analysis (SEA), Surface Transportation Board, Washington, DC 20423 or by calling that office at (202) 245-0295.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the Board's Office of the Secretary, 395 E Street, SW, Washington, DC 20423 [See 49 CFR 1104.1(a) and 1104.3(a)], and one copy must be served on the applicant's representative [See 49 CFR 1104.12(a)]. Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Congressional and Public Services at (866) 254-1792. Copies of any comments or requests for conditions should be served on the applicant's representative: Mack H. Shumate, Jr., Senior General Attorney, 101 North Wacker Drive, Room 1920, Chicago, Illinois 60606.

UNION PACIFIC RAILROAD COMPANY



BRIDGE NO.	BRIDGE TYPE	TOTAL LENGTH	DATE
6.30	4 SPAN PRL. TIMBER PUL. TRUSS OPEN DECK (TPROD)	54'	1927
6.31	5 SPAN PRL. TIMBER PUL. TRUSS OPEN DECK (TPROD)	62'	1927

LEGEND

- UPRR LINES TO BE ABANDONED
- OTHER UPRR LINES
- OTHER RAILROADS
- RAILROADS (abandoned)
- PRINCIPAL HIGHWAYS
- OTHER ROADS
- 50+ YEAR OLD STRUCTURES

HUNTSVILLE INDUSTRIAL LEAD

MP 5.0 TO MP 6.67
TOTAL OF 1.67 MILES
IN WALKER COUNTY

UNION PACIFIC RAILROAD CO.
HUNTSVILLE INDUSTRIAL LEAD
TEXAS

INCLUDING 50+ YEAR OLD STRUCTURES

SCALE MILES

FILE: Q:\abandonment\ab33_246_huntsville_v8.dgn

DATE: 14-Sep-06 06:27

AB-33(Sub No. 246X)

CERTIFICATE OF SERVICE
OF
APPLICATION FOR DISCONTINUANCE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Notice of Intent in Docket No. AB-33 (Sub-No. 246X), over the Huntsville Industrial Lead extending from Milepost 5.0 to Milepost 6.67 near Huntsville, a distance of 1.67 miles in Walker County, Texas, was served by first class mail (or by Certified Mail, if indicated) on the 18th day of October, 2007.

James L. Randall
Director – Transportation Planning
And Programming
125 East 11th Street
Austin, TX 78701-2483

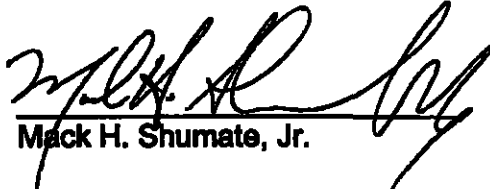
Railroad Commission of Texas
PO Box 12967
Austin, TX 78711-2967

U. S. National Park Service
12795 Alameda Parkway
Denver, CO 80228

U. S. Department of Agriculture
Chief of the Forest Service
4th Floor, NW, Auditors Bldg.
14th Street & Independence Ave. SW
Washington, DC 20250

Military Traffic Management
Command
Transportation Engineering Agency
Attn: Railroads for National Defense
720 Thimble Shoals Blvd., Suite 130
Newport News, VA 23606-2574

Dated this 18th day of October, 2007.


Mack H. Shumate, Jr.

Union Pacific Railroad Company
101 North Wacker Drive, Room 1920
Chicago, IL 60606
312/777-2055
312/777-2065(Fax)

EXHIBIT C

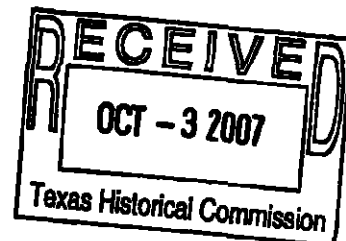


Mack H. Shumate, Jr.
Senior General Attorney, Law Department

September 28, 2007

VIA UPS OVERNIGHT

Surface Transportation Board
Section of Environmental Analysis
1925 "K" Street, N.W. Room 504
Washington, DC 20423-0001



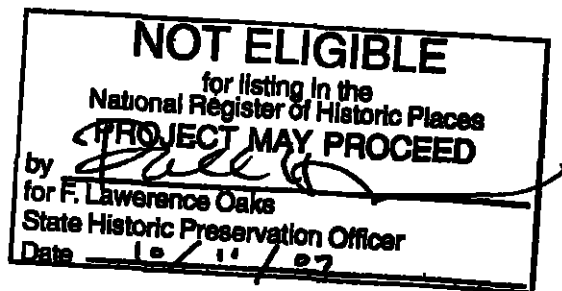
Attention: Victoria Rutson

Re: Proposed Abandonment of the Huntsville Industrial Lead from M. P. 5.0 to M. P. 6.67 near Huntsville, Walker County, Texas; STB Docket No. AB-33 (Sub-No. 246X)

Dear Ms. Rutson:

Enclosed for filing in the above-referenced docket are the original and ten (10) copies of a Combined Environmental and Historic Report prepared pursuant to 49 C.F.R. §1105.7 and §1105.8, with a Certificate of Service, and a transmittal letter pursuant to 49 C.F.R. §1105.11.

Union Pacific anticipates filing an Notice of Exemption in this matter on or after October 22, 2007.



Sincerely yours,

Enclosures

O:\ABANDONMENTS\33-246X\EHRLetter.doc